

1 JOHN S. LEONARDO  
United States Attorney  
2 District of Arizona  
ROSALEEN O'GARA  
3 Assistant U.S. Attorney  
Arizona State Bar No. 029512  
4 United States Courthouse  
405 W. Congress Street, Suite 4800  
5 Tucson, Arizona 85701  
Telephone: 520-620-7300  
6 Email: rosaleen.o'gara@usdoj.gov  
Attorneys for Plaintiff  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,  
11 Plaintiff,  
12 vs.  
13 Albert W. Rios,  
14 Defendant.  
15

CR-15-01201-TUC-RM (BGM)  
MOTION TO CONTINUE  
ARRAIGNMENT AND ISSUE NEW  
SUMMONS  
(SECOND)

16 The United States of America, by and through its undersigned attorneys, hereby  
17 respectfully requests a continuance to October 9, 2015 of the arraignment currently  
18 scheduled for August 7, 2015. This is the government's second request for a continuance  
19 of the arraignment.

20 The Defendant in this case currently resides in the State of Utah. Pre-trial services  
21 contacted Government counsel and advised that defendant has recently undergone a  
22 medical procedure and is under doctor's orders not to travel. This information has been  
23 verified by pre-trial services with the defendant's doctor and the defendant has provided  
24 pre-trial services with a note from his doctor confirming the same. The doctor informed  
25 pre-trial services that the defendant should be available to travel beginning in October.

26 For this reason, the government seeks a continuance of the arraignment in this  
27 matter to October 9, 2015. Government counsel has concurred with the Clerk's Office  
28 who has confirmed this date for the arraignment. The government also requests that the

1 Court order issuance of a new summons to the defendant with the October 9, 2015  
2 arraignment date.

3 Respectfully submitted this 5<sup>th</sup> day of August, 2015.

4  
5 JOHN S. LEONARDO  
6 United States Attorney  
7 District of Arizona

8 *S/Rosaleen O'Gara*

9 Rosaleen O'Gara  
10 Assistant U.S. Attorney

11 Copy of the foregoing served electronically or by  
12 other means this 5<sup>th</sup> day of August, 2015, to:

13 All ECF participants.  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28